



STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

## License for Diversion and Use of Water

APPLICATION 24113

PERMIT 16617

LICENSE 11213

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THIS IS TO CERTIFY, That

HELEN MARGARET SMITH  
C/O MEREDITH E. GATES - EAGLE RANCH, P. O. BOX 456,  
ATASCADERO, CALIFORNIA 93423

HAS made proof as of **SEPTEMBER 15, 1981** (the date of inspection)  
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of  
(1) HALE CREEK (2) AN UNNAMED STREAM IN SAN LUIS OBISPO COUNTY

tributary to (1) ATASCADERO CREEK THENCE SALINAS RIVER (2) EAGLE CREEK THENCE  
ATASCADERO CREEK THENCE SALINAS RIVER

IRRIGATION, RECREATIONAL, STOCKWATERING, FIRE PROTECTION AND  
for the purpose of WILDLIFE ENHANCEMENT USES  
under Permit **16617** of the Board and that the right to the use of this water has been perfected  
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the  
priority of this right dates from **JULY 10, 1972** and that the amount of water to which  
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated  
purposes and shall not exceed A TOTAL OF TWO HUNDRED (200) ACRE-Feet PER ANNUM,

TO BE COLLECTED FROM OCTOBER 15 OF EACH YEAR TO MARCH 31 OF THE SUCCEEDING YEAR IN  
EAGLE RANCH RESERVOIR AND AN UNNAMED STORAGE AND REGULATORY RESERVOIR. THE MAXIMUM  
WITHDRAWAL IN ANY ONE YEAR SHALL NOT EXCEED 200 ACRE-Feet FROM BOTH RESERVOIRS.

THIS LICENSE DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE  
SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE LOSSES OR FOR ANY OTHER PURPOSE

THE MAXIMUM RATE OF DIVERSION TO OFFSTREAM STORAGE SHALL NOT EXCEED 0.8 CUBIC FOOT  
PER SECOND.

THE POINT OF DIVERSION AND DIVERSION TO OFFSTREAM STORAGE OF SUCH WATER IS LOCATED:

EAGLE RANCH DAM - NORTH 750 FEET AND EAST 950 FEET FROM SW CORNER OF SECTION 10, T29S, R12E, MDB&M, BEING WITHIN SW1/4 OF SW1/4 OF SAID SECTION 10.

THE POINT OF DIVERSION AND REDIVERSION OF SUCH WATER IS LOCATED:

STORAGE AND REGULATORY RESERVOIR - NORTH 3,150 FEET AND EAST 2,200 FEET FROM SW  
CORNER OF SECTION 10, T29S, R12E, MDB&M, BEING  
WITHIN SE1/4 OF NW1/4 OF SAID SECTION 10.

*Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.*

*Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.*

*This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.*

*Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.*

*The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.*

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

*Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.*

*Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).*

*Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.*

*Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.*

*Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).*

*Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.*

*Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for*

A DESCRIPTION OF LANDS OR THE PLACE WHERE  
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

RECREATIONAL, STOCKWATERING, FIRE PROTECTION AND WILDLIFE ENHANCEMENT USES AT  
EAGLE RANCH RESERVOIR WITHIN SW1/4 OF SECTION 10 AND NW1/4 OF SECTION 15  
AND AT AN UNNAMED STORAGE AND REGULATORY RESERVOIR WITHIN NW1/4 OF SECTION 10,  
ALL WITHIN T29s, R12E, MDB&M; AND IRRIGATION AS FOLLOWS:

15.0 ACRES WITHIN NW1/4 OF SECTION 3, T29s, R12E, MDB&M  
44.8 ACRES WITHIN SW1/4 OF SECTION 3, T29s, R12E, MDB&M  
20.0 ACRES WITHIN SE1/4 OF SECTION 3, T29s, R12E, MDB&M  
6.2 ACRES WITHIN NW1/4 OF SECTION 10, T29s, R12E, MDB&M  
10.0 ACRES WITHIN SW1/4 OF SECTION 10, T29s, R12E, MDB&M  
2.4 ACRES WITHIN SE1/4 OF SECTION 10, T29s, R12E, MDB&M

98.4 ACRES TOTAL, AS SHOWN ON A MAP FILED WITH STATE WATER RESOURCES CONTROL BOARD.

THE QUANTITY OF WATER DIVERTED UNDER THIS LICENSE IS SUBJECT TO MODIFICATION BY  
THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE LICENSEE AND AN  
OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET  
WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER  
MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION  
WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE  
WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO  
ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE  
AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH  
THE CONTROL OF WASTE DISCHARGES.

LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS  
NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER  
MEANS SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER  
ENTERING THE RESERVOIR WHICH IS NOT AUTHORIZED FOR APPROPRIATION UNDER THIS LICENSE  
MAY BE RELEASED.

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THIS LICENSE IS SUBJECT TO THE AGREEMENT DATED JUNE 7 AND 8, 1973 BETWEEN LICENSEE,  
ATASCADERO MUTUAL WATER COMPANY AND CITY OF PASO ROBLES, TO THE EXTENT SUCH AGREEMENT  
COVERS MATTERS WITHIN THE BOARD'S JURISDICTION.

0000024

WATER SHALL BE COLLECTED TO STORAGE BEHIND EAGLE RANCH DAM ONLY WHEN THERE IS  
SURFACE FLOW FROM ATASCADERO CREEK INTO SALINAS RIVER. PRIOR TO DIVERTING WATER  
EACH YEAR, LICENSEE SHALL NOTIFY THE BOARD THAT SAID CONDITION EXISTS.

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